

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

MARTIN STANLEY IVIE,

Petitioner,

v.

RONALD HAYNES,

Respondent.

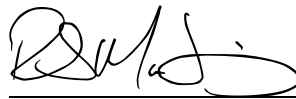
CASE NO. 3:22-cv-05197-RSM-BAT

**ORDER OF DISMISSAL AND  
REFERENCE TO CIRCUIT COURT**

Having reviewed the Report and Recommendation of the assigned United States Magistrate Judge, any objections, and the remaining record, the Court finds and ORDERS:

- (1) The Court ADOPTS the Report and Recommendation.
- (2) The case is dismissed without prejudice and the Clerk shall refer the federal habeas petition to the Circuit Court of Appeals for the Ninth Circuit for review as a second or successive habeas petition under Circuit Rule 22-3(a).
- (3) The Clerk is directed to send copies of this Order to the parties.

DATED this 9<sup>th</sup> day of May, 2022.



RICARDO S. MARTINEZ  
CHIEF UNITED STATES DISTRICT JUDGE